OAR–2005–0161, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

(4) Intended for use in engines that are designed to run on conventional diesel fuel.

(5) Derived from nonpetroleum renewable resources (as defined in paragraph (m) of this section).

(i) *Non-ester renewable diesel* means a motor vehicle fuel or fuel additive which is all the following:

(1) Registered as a motor vehicle fuel or fuel additive under 40 CFR part 79.

(2) Not a mono-alkyl ester.

(3) Intended for use in engines that are designed to run on conventional diesel fuel.

(4) Derived from nonpetroleum renewable resources (as defined in paragraph (m) of this section).

(j) *Renewable crude* means biologically derived liquid feedstocks including but not limited to poultry fats, poultry wastes, vegetable oil, and greases that are used as feedstocks to make gasoline or diesel fuels at production units as specified in paragraph (k) of this section.

(k) *Renewable crude-based fuels* are renewable fuels that are gasoline or diesel products resulting from the processing of renewable crudes in production units within refineries or at dedicated facilities within refineries, that process petroleum based feedstocks and which make gasoline and diesel fuel.

(l) *Importers*. For the purposes of this subpart only, an importer of gasoline or renewable fuel is:

(1) Any person who brings gasoline or renewable fuel into the 48 contiguous states of the United States from a foreign country or from an area that has not opted in to the program requirements of this subpart pursuant to § 80.1143; and

(2) Any person who brings gasoline or renewable fuel into an area that has opted in to the program requirements of this subpart pursuant to § 80.1143.

(m) *Nonpetroleum renewable resources* include, but are not limited to the following:

(1) Plant oils.

(2) Animal fats and animal wastes, including poultry fats and poultry wastes, and other waste materials.

(3) Municipal solid waste and sludges and oils derived from wastewater and the treatment of wastewater.

(n) *Export of renewable fuel* means:

(1) Transfer of a batch of renewable fuel to a location outside the United States; and

(2) Transfer of a batch of renewable fuel from a location in the contiguous 48 states to Alaska, Hawaii, or a United States territory, unless that state or territory has received an approval from the Administrator to opt-in to the renewable fuel program pursuant to § 80.1143.

(o) *Renewable Identification Number (RIN)*, is a unique number generated to represent a volume of renewable fuel pursuant to §§ 80.1125 and 80.1126.

(1) *Gallon-RIN* is a RIN that represents an individual gallon of renewable fuel; and

(2) *Batch-RIN* is a RIN that represents multiple gallon-RINs.

(p) *Neat renewable fuel* is a renewable fuel to which only *de minimis* amounts of conventional gasoline or diesel have been added.

[72 FR 23992, May 1, 2007, as amended at 73 FR 57254, Oct. 2, 2008]

§§ 80.1102–80.1103 [Reserved]

§ 80.1104 What are the implementation dates for the Renewable Fuel Standard Program?

The RFS standards and other requirements of § 80.1101 and all sections following are effective beginning on September 1, 2007.

[72 FR 23993, May 1, 2007]

§ 80.1105 What is the Renewable Fuel Standard?

(a) The annual value of the renewable fuel standard for 2007 shall be 4.02 percent.

(b) Beginning with the 2008 compliance period, EPA will calculate the

value of the annual standard and publish this value in the FEDERAL REGISTER by November 30 of the year preceding the compliance period.

(c) EPA will base the calculation of the standard on information provided by the Energy Information Administration regarding projected gasoline volumes and projected volumes of renewable fuel expected to be used in gasoline blending for the upcoming year.

(d) EPA will calculate the annual renewable fuel standard using the following equation:

$$RFStd_i = 100 * \frac{RFV_i - Cell_i}{(G_i - R_i) + (GS_i - RS_i) - GE_i}$$

Where:

$RFStd_i$ = Renewable Fuel Standard, in year i, in percent.

RFV_i = Nationwide annual volume of renewable fuels required by section 211(o)(2)(B) of the Act (42 U.S.C. 7545), for year i, in gallons.

G_i = Amount of gasoline projected to be used in the 48 contiguous states, in year i, in gallons.

R_i = Amount of renewable fuel blended into gasoline that is projected to be used in the 48 contiguous states, in year i, in gallons.

GS_i = Amount of gasoline projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

RS_i = Amount of renewable fuel blended into gasoline that is projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

GE_i = Amount of gasoline projected to be produced by exempt small refineries and small refiners, in year i, in gallons (through 2010 only, except to the extent that a small refinery exemption is extended pursuant to § 80.1141(e)).

$Cell_i$ = Beginning in 2013, the amount of renewable fuel that is required to come from cellulosic sources, in year i, in gallons.

(e) Beginning with the 2013 compliance period, EPA will calculate the value of the annual cellulosic standard and publish this value in the FEDERAL REGISTER by November 30 of the year preceding the compliance period.

(f) EPA will calculate the annual cellulosic standard using the following equation:

$$RFCell_i = 100 * \frac{Cell_i}{(G_i - R_i) + (GS_i - RS_i)}$$

Where:

$RFCell_i$ = Renewable Fuel Cellulosic Standard in year i, in percent.

G_i = Amount of gasoline projected to be used in the 48 contiguous states, in year i, in gallons.

R_i = Amount of renewable fuel blended into gasoline that is projected to be used in the 48 contiguous states, in year i, in gallons.

GS_i = Amount of gasoline projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

RS_i = Amount of renewable fuel blended into gasoline that is projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

$Cell_i$ = Amount of renewable fuel that is required to come from cellulosic sources, in year i, in gallons.

[72 FR 23993, May 1, 2007]

§ 80.1106   To whom does the Renewable Volume Obligation apply?

(a) (1) An obligated party is a refiner that produces gasoline within the 48 contiguous states, or an importer that imports gasoline into the 48 contiguous states. A party that simply adds renewable fuel to gasoline, as defined in § 80.1107(c), is not an obligated party.

(2) If the Administrator approves a petition of Alaska, Hawaii, or a United States territory to opt-in to the renewable fuel program under the provisions in § 80.1143, then "obligated party" shall also include any refiner that produces gasoline within that state or territory, or any importer that imports gasoline into that state or territory.

(3) For the purposes of this section, "gasoline" refers to any and all of the products specified at § 80.1107(c).